GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services- PR&RD Department – Allegation of corruption against Sri B.Chandra Obula Reddy, formerly Assistant Executive Engineer /MEO, Tadimarri Mandal, Ananthapuramu District - Trapped on 31.08.2002 - Convicted - Dismissed from the service – Filed Criminal Appeal No.1174 of 2007 - Expired on 12.03.2017 - Criminal Appeal allowed by the Hon'ble High Court of A.P., – Implemented – Suspension period w.e.f 13.09.2002 to 06.12.2004 and dismissal period w.e.f 17.01.2011 to 11.03.2017 regularized as "not on duty" and to release the pensionary benefits for the remaining service period of 17 years and 3 months (approximately) to the legal heir of the deceased - Orders – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No.423 **Dated:30.07.2024.**

Read the following:

1. Proceedings of the ENC,PR, No. DIV (1)/17395/2002, dated: 06.09.2002.
2. From the DG, ACB, Lr.No.213/RCT-ATP/2002/S.14, Dt:06.01.2003.
3. G.O.Ms.No.123, PR&RD (VS.I) Department, Dt:16.04.2003.
4. G.O.Rt.No.1889, PR&RD. Department, Dt: 06.12.2004.
5. From the Addl. Spl. Judge for SPE & ACB cases, Hyderabad, judgment dt:12.09.2007 in C.C.No.19/2003.
6. G.O.Ms.No.419, PR&RD (Vig.II) Department, Dt:16.12.2010.
7. From the Hon'ble High Court of A.P., Order dated:25.07.2022 in Crl. Appeal No.1174/2007.
8. Representation from Smt. S. Geetah Gandhi Vani W/o. Sri B. Chandra Obula Reddy, former MEO, Tadimarri (M), Anantapuramu District (expired), dt:08.02.2023.
9. Govt. Memo No.2046377/Vig. II/2023, dt: 15.04.2023.
10. From the DG, ACB, AP, Vijayawada, Letter Rc. No. 213/RCT-ATP/2002. Dt: 19.05.2023.
11. G.O.Rt.No. 67, PR&RD (Vig. II) Department, Dt: 19.01.2024.
12. Govt. Memo No.2046377/Vig. II/2023-2, PR&RD (Vig. II) Dept. Dt: 19.01.2024.
13. From the ENC,PR, Letter No. Vig. (4)/17395/2002, dated: 20.02.2024.

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ORDER:

The Anti-Corruption Bureau officials trapped Sri B. Chandra Obula Reddy, former Mandal Engineering Officer, Tadimarri Mandal, Ananthapuramu District on 31.08.2002, when he demanded and accepted an illegal gratification of Rs.20,000/- from the complainant for doing official favor of recording the measurements in M.Book in respect of the work for maintenance of road from Ekapadampalli to Ganjepali in Anantapuramu District. Consequently, the Engineer-in-

(P.T.O)

Chief, Panchayat Raj, vide reference 1st read above, placed the above individual under suspension.

2. In the reference 2nd read above, the DG, ACB has furnished final report and recommended for prosecution of accused officer in a court of law. Accordingly, in the reference 3rd read above, Government accorded sanction for prosecution of the individual for the offences under sections 7,13(1)(d) read with section 13(2) of the Prevention of Corruption Act, 1988, in a court of law.

3. In the reference 4th read above, Government issued orders for reinstatement of Sri B. Chandra Obul Reddy, AEE/MEO (u/s) into service without prejudice to the criminal proceedings pending against him.

4. In the reference 5th read above, the Special Additional Judge for SPE & ACB Cases, Hyderabad pronounced judgment dt: 12.09.2007 in CC No.19/2003 and convicted Sri B. Chandra Obula Reddy, MEO in a court of law, under Section 248 (2) of the Code of Criminal Procedure 1974 and under Section 7, 13 (1)(d) read with 13 (2) of Prevention of Corruption Act, 1988. Accordingly, the Government, vide reference 6th read above issued orders for dismissal of Sri B. Chandra Obula Reddy, former Mandal Engineering Officer from service, as he was convicted in the court of law.

5. In the reference 7th read above, the Hon'ble High Court of Andhra Pradesh allowed the Criminal Appeal No.1174 of 2007 filed by Sri B. Chandra Obula Reddy, AEE (late) and Smt. S. Geetah Gandhi Vani (who was later impleaded) and ordered that, *"the appellant / accused is found not guilty of the offences punishable under Section 7 and 13 (1)(d) read with 13 (2) of the PC Act, 1988 and is accordingly acquitted of the same."*.

6. In the reference 8th read above, Smt. S. Geetah Gandhi Vani, W/o. Sri B.Chandra Obula Reddy, former MEO, Tadimarri (M), Anantapuramu District (expired) has submitted her representation and requested the Government to consider her husband's suspension period from service as on duty for all purposes and to release all the pensionary benefits to her in the matter.

7. In the reference 11th read above, Government have issued orders and implemented the Hon'ble High Court of A.P. dt:25.07.2022 in Criminal Appeal No.1174 of 2007 duly keeping in view the demise of Sri B. Chandra Obula Reddy, AEE (PR) (expired).

8. In the reference 13th read above, the Engineer-in-Chief, Panchayat Raj, A.P., has furnished report and informed that Sri B. Chandra Obula Reddy, AEE/MEO was kept under suspension by their Office Procs. Dt: 06.09.2002 and the same was served on the A.O on 13.09.2002 FN. The A.O was later reinstated by the Government vide reference 4th read above and their Office Procd. Dt:07.12.2004 allotted

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the individual to PR Circle, Anantapuramu. As such, the suspension period of A.O was w.e.f **13.09.2002 to 06.12.2004.** The A.O was dismissed from service vide reference 6th read above and the same was served on the individual on 17.01.2011 and the dismissal period of AO was from **17.01.2011 to 11.03.2017**. Later, the individual was expired on 12.03.2017. The Engineer-in-Chief, Panchayat Raj has requested the Government to take further action in the matter.

9. As per the material available, the services rendered by Sri B. Chandra Obula Reddy, former MEO, Tadimarri (M), Anantapuram District (expired) and his suspension and dismissal periods are as follows:-

Sl. No.	Date of joining of A.O. in service	Continuance	Regular Period/ Absence periods
1	Joined as Work Inspector Grade-I on 24.07.1991 (as per final report of DG,ACB)	w.e.f 24.07.1991 to 12.09.2002	11 years, 1 month & 19 days
2	Suspension period	**13.09.2002 to 06.12.2004**	2 years 2 months and 23 days
3	Joined in Govt. service after reinstatement on 07.12.2004	**07.12.2004 to 16.01.2011**	6 years 1 month and 9 days
4	Dismissal period w.e.f 17.01.2011	17.01.2011 to 11.03.2017 (ie, the individual was expired on 12.03.2017)	6 years 1 month and 25 days

10. Government have examined the matter and observe that the Hon'ble High Court of A.P. allowed the Criminal Appeal No.1174/2007 filed by Sri B. Chandra Obula Reddy, AEE (died) and Smt. S. Geetah Gandhi Vani (who got impleaded later) by giving benefit of doubt under para.25 of their judgement Dated:25/07/2022. As such, the same has not been exonerated on merits in the Criminal Appeal. As per clause (i) of sub-rule (2) of rule 54-A of FRs and the instructions issued in Circular Memo No.32419/939/FR.II/2003, Finance (FR.II) Dept. Dt:19.06.2004 read with G.O.Ms.No.30, Finance (FR.II) Dept. Dt:15.02.2007 in such cases, the period spent under suspension and dismissal **cannot be treated as on duty**.

11. Accordingly, Government after careful examination of the matter, hereby order that the suspension and dismissal periods undergone by Sri B. Chandra Obuala Reddy, AEE/MEO, Tadimarri (M), Anantapuramu District (expired) w.e.f 13.09.2002 to 06.12.2004 and w.e.f 17.01.2011 to 11.03.2017, hereby regularized as **"not on duty"** duly limiting to subsistence allowance already paid and also on the principal of "no work no pay" respectively, as per the Rules and instructions mentioned under Para No.10 above, since, the individual has not been exonerated on merits.

12. Government have also examined the services rendered by the deceased into consideration and accordingly, hereby order to release

(P.T.O)

the pensionary benefits for the remaining service period for (17) years and (2) months and (28) days approximately rendered by the individual to his legal heir in the matter.

13. The Engineer-in-Chief, Panchayat Raj, A.P., is therefore requested to take further necessary action accordingly on Para Nos. 11 and 12 above and ensure that there is no gap period and the individual is not involved in any other suspension case than this present ACB case, while releasing the pension and pensionary benefits to his legal heir, as the Engineer-in-Chief, Panchayat Raj is authority competent in respect of Assistant Executive Engineers, in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNER OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARRY TO GOVERNMENT

To
The Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada.
Smt. S. Geetha Gandi Vani, W/o. Late B. Chandra Obula Reddy, former AEE / MEO, Tadimarri (M), Anantapuramu District (expired)
D.No. 1-264, HLC Colony road, Neat TTD Kalyana Mandapam,
Tadimarri Mandal, Anantapuramu District, A.P.
through the Engineer-in-Chief, Panchayat Raj, A.P., Vijayawada
(with a request to serve on the spouse of deceased and furnish dated acknowledgment)

Copy to:
The Director General, Anti-Corruption Bureau, A.P., Vijayawada.
The Secretary to VC, A.P. Vigilance Commission, Velagapudi.
The PR&RD (Estt. I) Department.
The OSD to Hon'ble Dy.C.M for PR&RD, RWS&S and EFS&T.,
The PS to Prl. Secy. to Govt, PR&RD. Dept.,
SF/SC.

//FORWRDED::BY ORDER//

SECTION OFFICER